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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,077	04/12/2004	Peter Snowden	U04-0045.82	3076
24239	7590	01/24/2006	EXAMINER	
MOORE & VAN ALLEN PLLC			FIGUEROA, MARISOL	
P.O. BOX 13706				
Research Triangle Park, NC 27709			ART UNIT	PAPER NUMBER
			2681	

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/709,077	SNOWDEN, PETER	
	<b>Examiner</b> Marisol Figueroa	<b>Art Unit</b> 2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 04 November 2005.  
 2a) This action is FINAL.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-9 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-9 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 12 April 2004 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

1. This Action is in response to Applicant's amendment filed on 11/04/2005. Claims 1-9 are still pending in this application. The rejections not addressed below have been withdrawn.

### *Response to Arguments*

2. Applicant's arguments with respect to claims 1, 4, and 7 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. **Claims 1, 4, and 7** are rejected under 35 U.S.C. 103(a) as being unpatentable over Himmel et al. (US 2005/0018827 A1) in view of McNeight (EP 1,298,895 A2).

**Regarding claims 1 and 4,** Himmel discloses a method and system of automatic initiation for connecting a mobile phone to a conference call, the method comprising:

in the mobile phone;  
reviewing calendar event data stored in the mobile phone, the calendar event data containing conference call event data that includes a starting time for the conference call, a telephone number for the conference call, and a passcode authorizing connection to the conference call (abstract, lines 7-19; p.0007, lines 1-13; p.0020-0023; p.0031-0032; a cellular telephone 113 or other devices store information about a particular conference call into its electronics' calendar from a received vInvitation and vCalendar regarding the schedule of a conference call; the information includes a "callTime", "accessNumber", and "accessCode" attributes);

automatically dialing the telephone number for the conference call; receiving a prompt for the passcode authorizing connection to the conference call; obtaining the passcode from the conference call event data; and automatically entering the passcode (p.0034; p.0036-0037; the vCalendar object, i.e. calendar event, activates when a defined time matches the system time of the mobile telephone 113, it automatically dials and logs in to conference by using the telephone number stored in the accessNumber attribute and joins the scheduled conference call, transmitting the pass code stored in the accessCode attribute).

However, Himmel fails to disclose producing an alert shortly before the starting time of the conference call; displaying a prompt asking whether to connect to the conference call; and dialing the telephone number upon the affirmative response to the prompt.

McNeight discloses a portable electronic device having integrated telephony and calendar functions such as a cellular telephone (Fig. 1), the cellular phone that has the capability of scheduling call-backs for contacts or telephone numbers in calendar 118; at the appropriate time as determined by the scheduler 120, the telephone number for the call-back stored in calendar is called, either automatically or by first prompting a user that a call-back is about to be initiated. The user may be prompted, for example, to go ahead with the call-back at this time, to delay the call-back to some future time, or to cancel the call-back (col.2, lines 34-57; col.3, line 50 – col.4, lines 1-7). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention for the mobile phone to produce an alert before the start of the conference call, display a prompt asking whether to connect to the conference call and dial the telephone number for the conference call upon the affirmative response as suggested by McNeight, in order to allow the user to prepare before entering a conference session.

**Regarding claim 7,** Himmel discloses a computer program product embodied on a computer readable storage medium for automatic initiation for connecting a mobile phone to a conference call (p.0015-0016), the method comprising:

in the mobile phone;

computer program code for reviewing calendar event data stored in the mobile phone, the calendar event data containing conference call event data that includes a starting time for the conference call, a telephone number for the conference call, and a passcode authorizing connection to the conference call (abstract, lines 7-19; p.0007, lines 1-13; p.0020-0023; p.0031-0032; a cellular telephone 113 or other devices store information about a particular conference call into its electronics' calendar from a received vInvitation and vCalendar regarding the schedule of a conference call; the information includes a "callTime", "accessNumber", and "accessCode" attributes);

computer program code for automatically dialing the telephone number for the conference call; receiving a prompt for the passcode authorizing connection to the conference call; obtaining the passcode from the conference call event data; and automatically entering the passcode (p.0034; p.0036-0037; the vCalendar object, i.e. calendar event, activates when a defined time matches the system time of the mobile telephone 113, it automatically dials and logs in to conference by using the telephone number stored in the accessNumber attribute and joins the scheduled conference call, transmitting the pass code stored in the accessCode attribute).

However, Himmel fails to disclose computer program code for producing an alert shortly before the starting time of the conference call; displaying a prompt asking whether to connect to the conference call; and dialing the telephone number upon the affirmative response to the prompt.

McNeight discloses a portable electronic device having integrated telephony and calendar functions such as a cellular telephone (Fig. 1), the cellular phone that has the capability of scheduling call-backs for contacts or telephone numbers in calendar 118; at the appropriate time as determined by the scheduler 120, the telephone number for the call-back stored in calendar is called, either automatically or by first prompting a user that a call-back is about to be initiated. The user may be prompted, for example, to go ahead with the call-back at this time, to delay the call-back to some future time, or to cancel the call-back (col.2, lines 34-57; col.3, line 50 – col.4, lines 1-7). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention for the mobile phone to produce an alert before the start of the conference call, display a prompt asking whether to connect to the conference call and dial the telephone number for the conference call upon the affirmative response as suggested by McNeight, in order to allow the user to prepare before entering a conference session.

5. **Claims 2, 3, 5, 6, 8, and 9** are rejected under 35 U.S.C. 103(a) as being unpatentable over Himmel et al. in view of McNeight, and further in view of Kennedy (US 2004/0203977 A1).

**Regarding claims 2, 3, 5, and 6,** the combination of Himmel and McNeight disclose the method and system of claims 1 and 4, however fails to disclose wherein the affirmative response to the prompt asking whether to connect to the conference call is in the form of a keypress on the mobile phone keypad, and further wherein the response is in the form of a keyword voice response that is recognized by the mobile phone in a voice activated mode. Kennedy discloses a method and device for establishing communication with multiple devices, by selecting a multiparty call group from a storage device or forming a multiparty call group (Abstract, lines 1-6). Kennedy further discloses the features of the communication device for establishing the multiparty call comprising: a housing; a display in an opening of the housing; an alphanumeric keypad and function buttons to

facilitate entering phone numbers, and commands to control the operation of the communication device; and a speaker and microphone grill within the housing (P.0015-0020). The user of the communication device, (i.e. mobile phone) wishing to start a multiparty group call selects the multiparty call feature from the menu and a series of questions are displayed to the user to answer, the word “YES” may be displayed above a select button and the word “NO” in another select button, the user uses these keys to respond to the questions, furthermore the user may also respond to the questions via voice recognition by speaking a yes or no into the microphone (P.0034). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to respond to a prompt in the communication device, (i.e. mobile phone) by a keypress on the mobile phone keypad or by a keyword voice response as taught by Kennedy, since it is commonly well known to respond to queries that appears in the screen of a mobile phone by a keypress and voice recognized commands.

**Regarding claims 8 and 9,** the combination of Himmel and McNeight disclose the computer program product of claim 7, however fails to disclose wherein the affirmative response to the prompt asking whether to connect to the conference call is in the form of a keypress on the mobile phone keypad, and further wherein the response is in the form of a keyword voice response that is recognized by the mobile phone in a voice activated mode. Kennedy discloses a method and device for establishing communication with multiple devices, by selecting a multiparty call group from a storage device or forming a multiparty call group (Abstract, lines 1-6). Kennedy further discloses the features of the communication device for establishing the multiparty call comprising: a housing; a display in an opening of the housing; an alphanumeric keypad and function buttons to facilitate entering phone numbers, and commands to control the operation of the communication device; and a speaker and microphone grill within the housing (P.0015-0020). The user of the

communication device, (i.e. mobile phone) wishing to start a multiparty group call selects the multiparty call feature from the menu and a series of questions are displayed to the user to answer, the word "YES" may be displayed above a select button and the word "NO" in another select button, the user uses these keys to respond to the questions, furthermore the user may also respond to the questions via voice recognition by speaking a yes or no into the microphone (P.0034). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to respond to a prompt in the communication device, (i.e. mobile phone) by a keypress on the mobile phone keypad or by a keyword voice response as taught by Kennedy, since it is commonly well known to respond to queries that appears in the screen of a mobile phone by a keypress and voice recognized commands.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marisol Figueroa whose telephone number is (571) 272-7840. The examiner can normally be reached on Monday Thru Friday 8:30 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system,

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see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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*Joseph Feild*  
JOSEPH FEILD  
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